

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PEERLESS INS. CO.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:08CV729 RWS
)	
EUGENE ROEDDER, et al.,)	
)	
Defendants.)	


MEMORANDUM AND ORDER

This matter is before me on the joint motion to vacate the referral of this action to mediation. I decided to refer this case to mediation at the Rule 16 conference despite the fact that the parties had asked not to be sent to mediation in their joint proposed scheduling plan. The current motion states the same basis for vacating the referral that I previously considered and rejected at the Rule 16 conference. Because I continue to believe that mediation would be beneficial in this case, I will deny the motion to vacate the referral to mediation at this time. The parties may ask me to reconsider my decision if the attorneys of record who signed the motion to vacate all appear in person for informal matters to discuss this issue with the Court¹, but on the basis of this bare-bones motion, I do not find good cause to vacate the referral at this time.

¹This is the kind of discussion the Court normally has with the attorneys during the Rule 16 conference and one of the many reasons that the Court requires an attorney of record who is actually responsible for this case attend the conference.

Accordingly,

IT IS HEREBY ORDERED that the joint motion to vacate adr referral [#20] is denied.

A handwritten signature in black ink, appearing to read "Sippe" followed by a stylized flourish.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 22nd day of September, 2008.